

**NH PDMP Advisory Council Meeting
March 21, 2016
OPLC/NH Board of Pharmacy**

Meeting Minutes

Advisory Council Members Present:

David Strang, MD, Chair, NH Medical Society (3:55 PM)
Charles Albee, DMD, NH Board of Dental Examiners (Interim Chair)
Sarah Blodgett, NH Board of Medicine (BOM)
David DePiero, NH Hospital Association
Michael Dupuis, NH Board of Pharmacy (BOP)
Karin Eckel, NH Attorney General's Office
Kate Frey, New Futures
Tony Guerino, DVM, NH Board of Veterinary Medicine (via phone)
Joseph Harding, NH Dept. of Health and Human Services (DHHS)
Denise Nies, RN, Executive Director, NH Board of Nursing (BON)

Advisory Council Members Absent:

Richard Crate, NH Police Chiefs' Association
Eric Hirschfeld, DDS, NH Dental Society
Jonathan Stewart, Community Health Institute (CHI)
Michael Viggiano, RPh, State Pharmacy Associations

Also Attending:

Michelle Ricco Jonas, Manager, NH PDMP
Kathy Bizarro-Thunberg, NH Hospital Association
Jim Giglio, TTAC
Patrick Knue, TTAC

The meeting began at 3:03 PM. A quorum was present

1. Review & Approve Minutes

- Feb. 8, 2016 – postponed to April 18th meeting

2. Sub Committee Reports

- **Finance: (M. Ricco Jonas)**

- a. 2015 BJA enhancement grant funds were approved by the Fiscal Committee on 3/18/16. Go to Governor & Council on Wed., 3/23/16
- b. BJA approved the extension of approximately \$70,000 from our 2013 implementation grant through 9/30/16. This will be used for program enhancements as well.
- c. All PDMP funding has been backed out from OPLC, to its own separate budget and accounting units for auditing purposes.

- **Implementation**

- a. HID Contract Amendment (M. Ricco Jonas)**

- i.** Worked with DoIT on vendor contract amendment with HID. Goal was to have all paperwork to Administrative Services by 3/23/16 to make the 4/6/16 G&C meeting. HID requested a change in the amendment that requires consideration and consultation with legal counsel and Department of Information Technology (DoIT), so the process has slowed until the team can meet and discuss these requested changes.
 - ii.** The amendment includes such items as the two new legislative requirements: (1) Making interstate data sharing operational, (2) changing the uploading of data from weekly to daily, as well as other enhancements intended to improve end-user satisfaction with the system and educational reports.

- b. Registration Update (M. Ricco Jonas)**

- i.** Registration is progressing. Working on the steps that will be needed to register Federal practitioners. Are in discussions with HID to make this a semi-automated process. In fact, the plan is to get NH back on track with the semi-automated registration process for *all* licensees. This will entail getting an Excel file from the regulatory boards, switching the file to a different format and then sending it to HID so they can have the necessary information to verify a license holder once they register online. If a practitioner registers on-line and their information does not match up with that in the file, then their application would not be approved and they would be notified by HID (e.g. invalid license number or no DEA number).

- **PDMP Rules: (K. Frey)**

- a.** Met with Atty. Robert Lambardi (new OPLC counsel) regarding needed PDMP rules changes due to passage of SB 31. K. Frey provided him with a draft of these changes and oriented him to (the recently passed) SB 576 and which sections really pertain to the PDMP. Important to get a comprehensive rules change draft under review now. Other legislation currently under consideration may also require some changes (e.g. HB 1423).
 - b.** Discussed how rules revisions move through the BOP. Advisory Council develops draft, reviews and then forwards to the BOP for additional review. Once approved, BOP would then file proposed changes with the

Office of Legislative Services (OLS), which then schedules for a hearing before JLCAR. This process takes at least 6 months.

- **Evaluation: (M. Ricco Jonas)**

- a. **Harold Rogers PDMP FY16 Category 2 Solicitation (additional grant funding through BJA)**

- i. The goal of this funding category is to “strengthen PDMP efforts to develop and test innovative strategies and to implement evidence-based approaches that demonstrate the impact of expanded use of PDMP data to support decision-making” (public policy, training, etc.).
 - ii. Motion by S. Blodgett to recommend to BOP that we apply for this additional funding. Second by D. Nies. ALL IN FAVOR

3. Old Business

- **Waiver for Pharmacies not Dispensing Controlled Substances**

- Final version of the waiver was approved by BOP on 3/16/16. Finalizing the process with M. Dupuis. Expect to send out a communication to all pharmacy dispensers (in-state and out of state) that will explain the application process and procedure to obtain this waiver.

4. New Business

- **Legislative Update (K. Frey, M. Ricco Jonas)**

- HB 1423 (Rep. Rosenwald): Would revise rule-making re: the prescribing of opioids and mandatory use of the PDMP. Would mandate the formation of a commission to determine a maximum day limit for opiate prescriptions. Mandatory PDMP use would be broadened to include prescribing for the treatment of acute pain. Any changes would take effect 1/1/17.
 - Veterinary community has some concern/confusion as to whether HIPAA allows the review of an animal owners PDMP prescription data. How can we better address through education?
 - SB 523 (Sen. Sanborn): Has been amended quite a bit and has moved away from PDMP involvement. Adds Naturopath to practitioner language.
 - HB 1420 (Rep. Ward): Would have changed law enforcement access to the PDMP. Failed on House floor vote.
 - SB 522 (Sen. Bradley): Would provide an additional \$130,000 in PDMP funding from State funds. Will next be heard before the House Finance Sub-Committee on 3/29 at 1:00pm.

5. Items of Interest

- a. Letters to Missouri – Missouri (the only state without a PMP), is attempting to pass PMP legislation. M. Ricco Jonas has asked some members of the Advisory Council to write a letter about their experience with using the PDMP, to support Missouri’s efforts to pass their legislation.
- b. C. Albee – What are the term Limits for this Council? – There are none.
- c. Atty. James Vara (former DOJ member of this Advisory Council) is the new State of NH Drug Czar appointed by the Governor.

- d. Louise Lavertu is retiring from the Board of Medicine and S. Blodgett is therefore the Acting Executive Director. The Governor will appoint a new person to this position and Boards can send their recommendations to the Governor.
- e. J. Harding: Posed a question regarding 42 CFR (confidentiality regarding methadone treatment programs). Wanted to confirm that all medical providers with a DEA license can register with and have access to the PDMP. Yes that is correct.

6. Next Meeting:

Date/Time: April 18, 2016; 3:00pm

Location: Office of Professional Licensure and Certification (OPLC)

Adjournment:

Motion by D. Strang at 4:09 PM

Second by M. Dupuis

All in favor.